



UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

and

STATE OF MINNESOTA, by its
Attorney General Hubert H. Humphrey, III,
its Department of Health, and its
Pollution Control Agency,

Civil No. 4-80-469

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION;
HOUSING AND REDEVELOPMENT AUTHORITY
OF ST. LOUIS PARK; OAK PARK VILLAGE
ASSOCIATES; RUSTIC OAKS CONDOMINIUM
INC.; and PHILIP'S INVESTMENT CO.,

Defendants.

AFFIDAVIT OF
JOHN B. VAN DE NORTH, JR.

and

CITY OF ST. LOUIS PARK,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

and

CITY OF HOPKINS,

Plaintiff-Intervenor,

v.

REILLY TAR & CHEMICAL CORPORATION,

Defendant.

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

I, JOHN B. VAN DE NORTH, JR., being first duly sworn on oath,
depose and say:


1. That from March, 1973 to December, 1973, I was a
Special Assistant Attorney General for the State of Minnesota
assigned to the Minnesota Pollution Control Agency.

2. That during that time period, I was assigned
responsibility for legal matters concerning the Solid Waste
Division of the Minnesota Pollution Control Agency; and that
included among those matters was the action entitled State of
Minnesota, by the Minnesota Pollution Control Agency, and the
City of St. Louis Park vs. Reilly Tar and Chemical Company, File
No. 670767 (Hennepin County District Court).


3. That during the time I represented the State of
Minnesota in the above-entitled action, I did not settle, or agree
to settle, the action on behalf of the State nor did I authorize
anyone else to settle the action on behalf of the State.

4. That any proposed settlement of the action would have
been submitted for approval to the nine-member citizen board (the
"Board") which constitutes the Minnesota Pollution Control Agency
under Minn. Stat. § 116.02; that I never sought approval of any
settlement of the action from the Board; and that I am not aware

of any consideration of such a settlement by the Board during my
tenure as counsel for the State on this action.


John B. Van de North, Jr.

Subscribed and sworn to before me
this 14th day of April, 1983.


(Notary Public)

